

Tom Coburn
S.L.C.

AMENDMENT NO. _____ Calendar No. _____

Purpose: To allow States to carry out demonstration projects to limit purchases of junk food under the supplemental nutrition assistance program.

IN THE	AMENDMENT NO.	Sess.
	1000	
By	<i>Coburn</i>	
To:		
Ref	<i>S. 954</i>	and
	<i>4</i>	
	Page(s)	
	<small>GPO: 2012 77-320 (mac)</small>	

AMENDMENT intended to be proposed by Mr. COBURN

Viz:

1 On page 380, between lines 15 and 16, insert the fol-
2 lowing:

3 **SEC. 40__ . DEMONSTRATION PROJECTS TO PROHIBIT**
4 **PURCHASES OF JUNK FOOD.**

5 Section 17 of the Food and Nutrition Act of 2008
6 (7 U.S.C. 2026) (as amended by section 4001(b)) is
7 amended by adding at the end the following:

8 “(m) DEMONSTRATION PROJECT TO RESTRICT ELI-
9 GIBLE ITEMS.—

10 “(1) IN GENERAL.—A State may carry out a
11 demonstration project to plan, design, develop, and
12 implement a program in the State to eliminate pur-

1 chases of junk food and other unhealthful items by
2 redefining items that qualify as ‘food’ under section
3 3(k) if the Secretary approves a waiver request sub-
4 mitted by the State in accordance with paragraph
5 (2).

6 “(2) APPROVAL OF WAIVER.—The Secretary
7 shall approve any waiver to carry out a program
8 under paragraph (1) if the Secretary determines
9 that the waiver request submitted by the State in-
10 cludes—

11 “(A) a standard based on nutritional con-
12 tent for redefining items for eligibility under
13 section 3(k) that—

14 “(i) is determined by the State to be
15 clear, practical, and consistent in excluding
16 certain items from eligibility as a food
17 under section 3(k); and

18 “(ii) does not—

19 “(I) expand the number of items
20 otherwise eligible under section 3(k);
21 or

22 “(II) classify alcoholic beverages,
23 tobacco, and hot foods or hot food
24 products ready for immediate con-

1 sumption as eligible under section
2 3(k);

3 “(B) a description of the cost of imple-
4 menting the demonstration project in the State;

5 “(C) a description of the number of house-
6 holds participating in the program to be af-
7 fected by the demonstration project;

8 “(D) a procedure for disseminating prod-
9 uct eligibility information periodically to retail-
10 ers;

11 “(E) a procedure to monitor and evaluate
12 program operations, including impact on small
13 businesses; and

14 “(F) a statement that the demonstration
15 project does not intend to reduce the eligibility
16 for, or amount of, benefits available under this
17 Act.

18 “(3) EVALUATION.—Not later than 5 years
19 after the date on which a demonstration is initiated
20 under this subsection, the State shall submit to the
21 Secretary a report that describes the effect of the
22 demonstration project on—

23 “(A) the costs and benefits under the sup-
24 plemental nutrition assistance program in the
25 State; and

1 “(B) the access of individuals receiving
2 benefits under the supplemental nutrition as-
3 sistance program in the State to nutritious
4 food.

5 “(4) TREATMENT.—A demonstration project
6 under this subsection shall be considered to be a
7 permissible project to test innovative welfare reform
8 strategies under subsection (b)(1)(B)(ii)(III).”.